



National Aeronautics and  
Space Administration  
Washington, DC 20546

# Procurement Notice

**PN 97-62**  
**June 1, 2001**

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## **NASA INSPECTOR GENERAL HOTLINE POSTERS, PRIORITIES AND ALLOCATIONS, AND EXTENSION OF CLASS DEVIATIONS FOR SBIR CONTRACTS**

### ***PURPOSE:***

**ITEM I** - To require NASA contractors to display "hotline posters" on contracts exceeding \$5,000,000 and performed at contractor facilities in the United States.

**ITEM II** - To specify that use of a priority rating under the Defense Priorities and Allocations System (DPAS) regulation (15 CFR 700) is not required unless the acquisition is in support of one of the Schedule I approved programs of the DPAS.

**ITEM III** - To extend the advance payments and incremental funding class deviations for Small Business Innovation Research (SBIR) program contracts.

### ***BACKGROUND:***

**ITEM I** - NASA's Office of Inspector General (IG) requested that NASA contractors be required to display "hotline posters" in contractor facilities performing work on some NASA contracts. Foreign contracts and contracts less than \$5,000,000 are exempt. This PN requires contractors to obtain from the NASA IG "hotline posters" and to post them in facilities where and when work is performed on an applicable NASA contract. By waiver from Part 12, NASA might also impose this requirement on a case-by-case basis in contracts for commercial items when unusual circumstances warrant. An example of such circumstances might include procurements involving extraordinary concerns about the safety of human life.

**ITEM II** - In the past, most NASA contracts received DPAS ratings. This PN provides that contracts will receive ratings only if they are in support of one of the approved programs in DPAS Schedule I. Section 1811.603(e) was changed to provide statutory references covering exceptions to the rating system rather than a detailed listing of these exceptions. These statutory references may be viewed at <http://www.doc-bxa.bmpcoe.org/dpas-docs/dpasreg.pdf>.

**ITEM III** - NFS 1832.402(e)(1)(B)(a) provides a class deviation authorizing the use of advance payments for Phase I contracts awarded under the SBIR program. NFS 1832.702-70(a), (b), and (c) set forth conditions when incremental funding is permitted. NFS 1832.702-70(e) provides a class deviation from those conditions, permitting the use of incremental funding of contracts under Phase II of the SBIR program. These two class deviations expired September 30, 2000,

the date set forth in the Congressional authorization for the SBIR program. Public Law 106-554, extended the SBIR program through September 30, 2008. Procurement Information Circular (PIC) 00-27, Extension of Class Waivers for SBIR Contracts, extended these two deviations for the life of the SBIR program. This PN incorporates the extension of the advance payments and incremental funding class deviations for the life of the SBIR program.

**REGULATION:** Changes are made in Parts 1803, 1811, 1832, and 1852 as set forth in the enclosed replacement pages.

**REPLACEMENT PAGES:** You may use the enclosed pages to replace Part 1803, Part 1811, 32:3:, 32:4, 32:5, 32:6, 52:1, 52:2, 52:5, 52:6, 52:6.1 (added), 52-91, and 52-92 of the NFS.

**REGULATORY COMPLIANCE:** This PN was published as a final rule in the Federal Register (65 FR 29726 - 29729, June 1, 2001).

**EFFECTIVE DATE:** This PN is effective as dated, and shall remain in effect until canceled or superseded.

**CANCELLATION:** This PN cancels PIC 00-27.

**HEADQUARTERS CONTACTS:** Paul Brundage (IG Hotline Posters), Code HK, (202) 358-0481, email: pbrundage@hq.nasa.gov; Jeff Cullen (Priorities and Allocations), Code HK, (202) 358-01784, email: jcullen@hq.nasa.gov, Ron Lentz (SBIR Contracts), Code HK, (202) 358-1064, email: rlentz@hq.nasa.gov.

R. Scott Thompson  
Director, Contract Management Division

Enclosures

**PART 1803**  
**IMPROPER BUSINESS PRACTICES**  
**AND PERSONAL CONFLICTS OF INTEREST**

**TABLE OF CONTENTS**

<b>SUBPART</b>	<b>1803.1</b>	<b>SAFEGUARDS</b>
1803.101		Standards of conduct.
1803.101-1		General.
1803.101-2		Solicitation and acceptance of gratuities by Government personnel.
1803.104		Procurement integrity.
1803.104-3		Definitions.
1803.104-5		Disclosure, protection, and marking of proprietary and source selection information.
1803.104-10		Violations or possible violations.
<b>SUBPART</b>	<b>1803.2</b>	<b>CONTRACTOR GRATUITIES TO GOVERNMENT PERSONNEL</b>
1803.203		Reporting suspected violations of the Gratuities clause.
<b>SUBPART</b>	<b>1803.3</b>	<b>REPORTS OF SUSPECTED ANTITRUST VIOLATIONS</b>
1803.303		Reporting suspected antitrust violations.
<b>SUBPART</b>	<b>1803.5</b>	<b>OTHER IMPROPER BUSINESS PRACTICES</b>
1803.502		Subcontractor kickbacks.
<b>SUBPART</b>	<b>1803.6</b>	<b>CONTRACTS WITH GOVERNMENT EMPLOYEES OR ORGANIZATIONS OWNED OR CONTROLLED BY THEM</b>
1803.602		Exceptions.
<b>SUBPART</b>	<b>1803.7</b>	<b>VOIDING AND RESCINDING CONTRACTS</b>
1803.704		Policy.
1803.705		Procedures.
<b>SUBPART</b>	<b>1803.8</b>	<b>LIMITATION ON THE PAYMENT OF FUNDS TO INFLUENCE FEDERAL TRANSACTIONS</b>
1803.804		Policy.
1803.806		Processing suspected violations.
<b>SUBPART</b>	<b>1803.70</b>	<b>IG HOTLINE POSTERS</b>
<del>18803.7000</del>		Policy.
<del>18003.7001</del>		Contract clause.

**PART 1803**  
**IMPROPER BUSINESS PRACTICES**  
**AND PERSONAL CONFLICTS OF INTEREST**

**Subpart 1803.1--Safeguards**

**1803.101 Standards of conduct.**

**1803.101-1 General.**

The statutory prohibitions and their application to NASA personnel are discussed in the Standards of Ethical Conduct for Employees of the Executive Branch, 5 CFR Part 2635, and the Supplemental Standards of Ethical Conduct for Employees of the National Aeronautics and Space Administration, 5 CFR Part 6901. All NASA personnel involved in acquisitions shall become familiar with these statutory prohibitions. Any questions concerning them shall be referred to legal counsel. In addition to criminal penalties, the statutes provide that transactions entered into in violation of these prohibitions are voidable (18 U.S.C. 218).

**1803.101-2 Solicitation and acceptance of gratuities by Government personnel.**

Any suspected violations shall be reported promptly to the installation's Office of Inspector General.

**1803.104 Procurement integrity.**

**1803.104-3 Definitions.**

"Agency ethics official" means for Headquarters, the General Counsel and the Associate General Counsel for General Law, and for each center, the Chief Counsel.

**1803.104-5 Disclosure, protection, and marking of proprietary and source selection information.**

(a) Government employees serving in the following positions are authorized access to proprietary or source selection information, but only to the extent necessary to perform their official duties:

(i) Personnel participating in source evaluation board (SEB) procedures (see 1815.370) or personnel evaluating an offeror's or bidder's technical or cost proposal under other competitive procedures, and personnel evaluating protests.

(ii) Personnel assigned to the contracting office.

(iii) The initiator of the procurement request (to include the official having principal technical cognizance over the requirement).

(iv) Small business specialists.

(v) Personnel assigned to counsel's office.

(vi) Personnel assigned to the Defense Contract Audit Agency and contract administration offices of the Department of Defense.

(vii) Personnel responsible for the review and approval of documents in accordance with the Master Buy Plan Procedure in Subpart 1807.71.

(viii) Other Government employees authorized by the contracting officer.

(ix) Supervisors, at any level, of the personnel listed in paragraphs 1803.104-5(a)(i) through (viii).

(x) Duly designated ombudsman.

(c)(i) The originator of information that may be source selection information shall consult with the contracting officer or the procurement officer, who shall determine whether the information is source selection information. NASA personnel responsible for preparing source selection information as defined in FAR 3.104-3 shall assure that the material is marked with the legend in FAR 3.104-5(c) at the time the material is prepared.

(ii) Unless marked with the legend "SOURCE SELECTION INFORMATION -- SEE FAR 3.104," draft specifications, purchase descriptions, and statements of work are not considered source selection information and may be released during a market survey in order to determine the capabilities of potential competitive sources (see FAR Subpart 7.1). All documents, once released, must remain available to the public until the conclusion of the acquisition.

#### **1803.104-10 Violations or possible violations.**

(a)(1) The Procurement Officer is the individual designated to receive the contracting officer's report of violations.

(b) The head of the contracting activity (HCA) or designee shall refer all information describing an actual or possible violation to the installation's counsel and inspector general staff and to the Associate Administrator for Procurement (Code HS).

(f) When the HCA or designee determines that award is justified by urgent and compelling circumstances or is otherwise in the interest of the Government, then that official shall submit a copy of the determination to the Associate Administrator for Procurement (Code HS) simultaneous with transmittal to the Administrator.

### **Subpart 1803.2 --Contract or Gratuities to Government Personnel**

#### **1803.203 Reporting suspected violations of the Gratuities clause.**

Any suspected violations of the clause at FAR 52.203-3, Gratuities, shall be reported to the installation's Office of Inspector General.

### **Subpart 1803.3--Reports of Suspected Antitrust Violations**

#### **1803.303 Reporting suspected antitrust violations.**

(b)(i) When offers are received that, in the opinion of the contracting officer, indicate possible antitrust violations, the contracting officer shall report the circumstances to the General Counsel, NASA Headquarters, through the Office of Procurement (Code HS). Reports should not be submitted automatically but only when there is reason to believe the offers may not have been arrived at independently. These reports shall be submitted with conformed copies of bids or proposals, contract documents, and other supporting data, and shall set forth--

(A) The noncompetitive pattern or situation under consideration;

(B) Purchase experience in the same product or service for a reasonable period (one or more years) preceding receipt of the offers under consideration, including unit and total contract prices and abstracts of bids;

(C) Community of financial interest among offerors, insofar as it is known;

(D) The extent, if any, to which specification requirements or patents restrict competition;

(E) Any information available about the pricing system employed in offers believed to reflect noncompetitive practices; and

(F) Any other pertinent information.

(ii) Evidence of practices that, in the opinion of the General Counsel, NASA Headquarters, may violate the antitrust laws shall be forwarded to the Attorney General of the United States (see FAR 3.303).

(d) The contracting officer shall submit the identical bid report required by FAR 3.303(d) to NASA Headquarters, Office of Procurement (Code HS). The report shall include the reasons for suspecting collusion. Code HS shall forward a copy to the NASA Office of the Inspector General.

#### **Subpart 1803.5--Other Improper Business Practices**

##### **1803.502 Subcontractor kickbacks.**

Contracting officers shall report suspected violations of the Anti-Kickback Act in accordance with 1809.470.

#### **Subpart 1803.6--Contracts with Government Employees or Organizations Owned or Controlled by Them**

##### **1803.602 Exceptions.**

The Associate Administrator for Procurement has been delegated the authority to authorize an exception to the policy in FAR 3.601. The Associate Administrator for Procurement has redelegated this authority to the heads of contracting activities (HCAs) for individual actions in the aggregate of \$100,000 and below, inclusive of follow-on acquisitions, with concurrence by the HCA's Office of Chief Counsel. All requests above the HCA's authority shall be forwarded to the Associate Administrator for Procurement (Code HS) for approval.

#### **Subpart 1803.7--Voiding and Rescinding Contracts**

##### **1803.704 Policy.**

(a) The Associate Administrator for Procurement has been delegated authority to void or rescind contracts when there is a final conviction for violation of 18 U.S.C. 201-224 (Bribery, Graft and Conflicts of Interest) relating to them.

##### **1803.705 Procedures.**

Procurement officers shall make reports to the Associate Administrator for Procurement (Code HS). The Associate Administrator for Procurement is responsible for the actions, notices, and decisions required by FAR 3.705(c), (d), and (e).

#### **Subpart 1803.8--Limitation on the Payment of Funds to Influence Federal Transactions**

##### **1803.804 Policy.**

Procurement officers shall forward one copy of each Disclosure of Lobbying Activities (SF-LLL) furnished pursuant to FAR 3.803 to the Office of Procurement (Code HS). The original shall be retained in the contract file. Forms shall be submitted semi-annually by April 15th for the six-month period ending March 31st, and by October 15th for the period ending September 30th.

**1803.806 Processing suspected violations.**

The Associate Administrator for Procurement (Code HS) is the designated official to whom suspected violations of the Act shall be referred.

**Subpart 1803.70--IG Hotline Poster****1803.7000 Policy.**

~~NASA requires contractors to display NASA hotline posters prepared by the NASA Office of Inspector General on those contracts specified in 1803.7001, so that employees of the contractor having knowledge of waste, fraud, or abuse, can readily identify a means to contact NASA's IG~~

**1803.7001 Contract clause.**

~~Contracting officers must insert the clause at 1852.203-70, Display of Inspector General Hotline Posters, in solicitations and contracts expected to exceed \$5,000,000 and performed at contractor facilities in the United States.~~

**Subpart 1803.70--IG Hotline Poster****1803.7000 Policy.**

NASA requires contractors to display NASA hotline posters prepared by the NASA Office of Inspector General on those contracts specified in 1803.7001, so that employees of the contractor having knowledge of waste, fraud, or abuse, can readily identify a means to contact NASA's IG

**1803.7001 Contract clause.**

Contracting officers must insert the clause at 1852.203-70, Display of Inspector General Hotline Posters, in solicitations and contracts expected to exceed \$5,000,000 and performed at contractor facilities in the United States.

**PART 1811**  
**DESCRIBING AGENCY NEEDS**

**TABLE OF CONTENTS**

1811.002		Policy.
<b>SUBPART</b>	<b>1811.1</b>	<b>SELECTING AND DEVELOPING REQUIREMENTS DOCUMENTS</b>
1811.101		Order of precedence for requirements documents.
1811.107		Solicitation provisions.
<b>SUBPART</b>	<b>1811.4</b>	<b>DELIVERY OR PERFORMANCE SCHEDULES</b>
1811.403		Supplies or services.
1811.403-70		Packaging, handling, and transportation.
1811.404		Contract clauses.
1811.404-70		NASA contract clauses.
<b>SUBPART</b>	<b>1811.5</b>	<b>LIQUIDATED DAMAGES</b>
1811.501		Policy.
<b>SUBPART</b>	<b>1811.6</b>	<b>PRIORITIES AND ALLOCATIONS</b>
1811.602		General.
1811.603		Procedures.

**PART 1811**  
**DESCRIBING AGENCY NEEDS**

**1811.002 Policy.**

(b) Implementation of the Metric Conversion Act of 1975, as amended, must be in accordance with NPD 8010.2B, Use of the Metric System of Measurements in NASA Programs.

**Subpart 1811.1--Selecting and Developing Requirements Documents**

**1811.101 Order of precedence for requirements documents.**

(b) When establishing product descriptions in either a solicitation or contract, contracting officers shall include safeguards, as applicable, to ensure safety, security, and environmental protection.

**1811.107 Solicitation provisions.**

(b) NASA uses the categorical method to report its use of voluntary consensus standards. Therefore, use of the provision at 52.211-7 is not required. However, contracting officers must include in draft RFPs (DRFPs) the information required by 1815.201(c)(6)(A).



### **Subpart 1811.4--Delivery or Performance Schedules**

#### **1811.403 Supplies or services.**

(a)(3) Contract delivery or performance schedules must not be expressed in terms of a notice of award. A notice of award as a specific document, separate from the award document itself, is not a contractual document and shall not be used as a reference point for contract performance. See 1814.408 for additional information on notices of award.

#### **1811.403-70 Packaging, handling, and transportation.**

(a) NPG 6000.1E, "Requirements for Packaging, Handling, and Transportation for Aeronautical and Space Systems, Equipment, and Associated Components" provides guidance for shipment of certain NASA items.

(b) Contracting officers, with the advice of the requiring activity and the Center Transportation Officer, must include a designation of each deliverable item, or groupings of deliverable items, as Class I, II, III, or IV for purposes of contractor compliance with the NPG.

#### **1811.404 Contract clauses.**

(a)(2) FAR 52.211-8, Time of Delivery, Alternates II and III, must not be used in NASA contracts.

(3) FAR 52.211-9, Desired and Required Time of Delivery, Alternates II and III, must not be used in NASA contracts.

#### **1811.404-70 NASA contract clauses.**

The clause at 1852.211-70, Packaging, Handling, and Transportation, must be included in solicitations and contracts for deliverable items, including software, designated as Class I (mission essential), Class II (delicate or sensitive), or Class III (requires special handling or monitoring).

### **Subpart 1811.5--Liquidated Damages**

#### **1811.501 Policy.**

(d) The procurement officer must forward recommendations concerning remission of liquidated damages to the Headquarters Office of Procurement (Code HS).

### **Subpart 1811.6--Priorities and Allocations**

#### **1811.602 General.**

(c) The Department of Defense is the "Delegate Agency" for NASA. The Headquarters Office of Procurement (Code ~~HK~~HK) must coordinate with DOD, as necessary, to ensure that any DOD requirements are met.

#### **~~1811.603 Procedures.~~**

~~—(e)(i) Rated orders may be used by NASA only as provided in Section 700.17 of the DPAS (15 CFR 700.17) and subject to the limitations provided in Section 700.18 of the DPAS (15 CFR 700.18). Priority ratings are assigned on individual contracts and purchase orders by the contracting officer.~~

#### **1811.603 Procedures.**

(e)(i) Rated orders may be used by NASA only as provided in Section 700.17 of the DPAS (15 CFR 700.17) and subject to the limitations provided in Section 700.18 of the DPAS (15 CFR 700.18). Priority ratings are assigned on individual contracts and purchase orders by the contracting officer.

~~—(ii) NASA rated orders may only be assigned a DO rating, unless NASA has obtained a DX rating from the Department of Defense.~~

~~—(iii) The following program identification symbols may be used on NASA rated contracts and purchase orders for equipment and services that support authorized programs (see Schedule I of the DPAS):~~

~~A1—Aircraft~~

~~A2—Missiles~~

~~A3—Ships~~

~~A5—Weapons~~

~~A6—Ammunition~~

~~A7—Electronic and Communications Equipment~~

~~B1—Military Building Supplies~~

~~B8—Production Equipment (For Contractor's Account)~~

~~B9—Production Equipment (Government-Owned)~~

~~C2—Construction~~

~~C3—Maintenance, Repair, and Operating Supplies for Facilities~~

~~C9—Miscellaneous/Other~~

~~(g) Installation requests for assistance shall be directed to the Headquarters Office of Procurement (Code HK).~~

(ii) NASA rated orders may only be assigned a DO rating, unless NASA has obtained a DX rating from the Department of Defense.

(iii) The following program identification symbols may be used on NASA rated contracts and purchase orders for equipment and services that support authorized programs (see Schedule I of the DPAS):

A1 - Aircraft

A2 - Missiles

A3 - Ships

A5 - Weapons

A6 - Ammunition

A7 - Electronic and Communications Equipment

B1 - Military Building Supplies

B8 - Production Equipment (For Contractor's Account)

B9 - Production Equipment (Government-Owned)

C2 - Construction

C3 - Maintenance, Repair, and Operating Supplies for Facilities

C9 - Miscellaneous/Other

(g) Installation requests for assistance shall be directed to the Headquarters Office of Procurement (Code HK).

the appropriate rate. In no case shall the rate exceed that established in the clause at FAR 52.232-30.

### **Subpart 1832.4--Advance Payments for Non-Commercial Items**

#### **1832.402 General.**

(e)(1) The Director of the Headquarters Office of Procurement Contract Management Division (Code HK) is the approval authority for all advance payments except the following:

(A) The procurement officer is the approval authority for non-fee bearing contracts with domestic entities when the cumulative contract value is \$25,000,000 or less, and for all increases to such contracts over \$25,000,000 previously approved by the Headquarters Office of Procurement as long as the advance payment amount outstanding at any time is not increased.

(B) The contracting officer is the approval authority for the following actions. In these cases, a findings and determination (see FAR 32.410) is not required.

~~(a) Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) Phase I contracts. A class deviation has been signed authorizing use of advance payments on these contracts. The contracting officer shall annotate the contract file that the deviation is on file at the NASA Headquarters Office of Procurement (Code HK).~~

(a) Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) Phase I contracts. A class deviation has been signed authorizing use of advance payments on these contracts. The contracting officer shall annotate the contract file that the deviation is on file at the NASA Headquarters Office of Procurement (Code HK).

(b) Expendable launch vehicle (ELV) service contracts. 42 U.S.C. 2459c authorizes advance payments for these contracts. The contracting officer shall document the contract file with the rationale for approving the use of advance payments.

(e)(2) All advance payment authorization requests, except those authorized by 1832.402(e)(1)(B), shall be coordinated with the installation Deputy Chief Financial Officer.

#### **1832.406 Letters of credit.**

(b)(1) Each installation is considered a contracting agency for the purposes of this requirement.

#### **1832.407 Interest.**

(d)(1) Advance payments without interest are authorized.

#### **1832.409 Contracting officer action.**

#### **1832.409-1 Recommendation for approval.**

##### **1832.409-170 NASA procedure for approval.**

In addition to the items listed in FAR 32.409-1, requests for Headquarters approval of advance payments (see 1832.402(e)(1)) shall include the following information:

(a) Name of the cognizant NASA Headquarters program or staff office;

(b) Name and phone number of the contracting officer or negotiator;

(c) A copy of the proposed advance payments clause;

(d) If a profit/fee is contemplated, the factors considered in determining the profit/fee (see 1815.404-470);

(e) Information justifying the adequacy of security to cover the maximum advance payment amount at any time outstanding.

**1832.410 Findings, determination, and authorization.**

(b) Generally, the format in FAR 32.410 should be used, tailored as follows:

(i) In format subparagraph (a)(2), use the phrase "Advance payments (in an amount not to exceed \$..... at any time outstanding)" in all determinations and findings. The phrase means the maximum unliquidated dollar amount a contractor would need in advance payments at any point in time for the particular contract. The amount would not usually be the full contract value. The amount inserted should be based on an analysis of the contractor's financing needs (monthly or other appropriate period) for the specific contract involved.

(ii) In the second sentence of format subparagraph (a)(4), delete the reference to a special bank account if no special bank account is required.

(iii) Use format subparagraph (a)(6), not (a)(7) or (a)(8).

(iv) At the end of format paragraph (b), use "is in the public interest."

(v) in format paragraph (c), use the phrase "(the amount at any time outstanding)" in all determinations and findings.

**1832.412 Contract clause.**

(e) The contracting officer shall use Alternates IV and V when advance payments are provided on Phase I contracts of the Small Business Innovation Research (SBIR) or Small Business Technology Transfer (STTR) programs.

(f) See 1832.412(e).

**1832.412-70 NASA contract clauses.**

When the clause at FAR 52.232-12 or its Alternates II or V are used, insert the clause at 1852.232-70, NASA Modification of FAR 52.232-12.

**Subpart 1832.5--Progress Payments Based on Costs**

**1832.501 General.**

**1832.501-1 Customary progress payment rates.**

(a) The customary progress payment rate for all NASA contracts is 85 percent for large business, 90 percent for small business, 95 percent for small disadvantaged business, and 100 percent for Phase II contracts in the Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) programs. The contracting officer shall insert the applicable percentage in paragraphs (a) and (b) of the clause at FAR 52.232-16.

**1832.501-2 Unusual progress payments.**

The Director of the Headquarters Office of Procurement Contract Management Division (Code HK) is the approval authority for the use of unusual progress payments.

**1832.502 Preaward matters.****1832.502-2 Contract finance office clearance.**

The Director of the Headquarters Office of Procurement Contract Management Division (Code HK) is the approval authority for the actions at FAR 32.502-2, except the Associate Administrator for Procurement (Code HK) is the approval authority for any deviations addressed in FAR 32.502-2(b).

**1832.502-4 Contract clauses.****1832.502-470 NASA contract clause.**

The contracting officer may insert a clause substantially as stated at 1852.232-82, Submission of Requests for Progress Payments, in fixed-price solicitations and contracts that provide for progress payments. The recipient of the requests and number of copies may be changed as required.

**1832.503 Postaward matters.****1832.503-5 Administration of progress payments.**

(c)(i) If the contractor requests it and the contracting officer approving individual progress payments agrees, the administration of progress payments may be based on the overall contract agreement. Under this method, the contractor must include a supporting schedule with each request for a progress payment. The schedule should identify the costs applicable to each order.

(ii) The contracting officer may treat a group of orders as a single unit for administration of progress payments if each order in the group is subject to a uniform liquidation rate and under the jurisdiction of the same payment office.

**1832.504 Subcontracts.**

(c) Unusual progress payments to subcontractors shall be approved in accordance with 1832.501-2.

**Subpart 1832.7--Contract Funding****1832.702 Policy.****1832.702-70 NASA policy.**

(a) Cost-reimbursement contracts may be incrementally funded only if all the following conditions are met (except that, for cost-reimbursement R&D contracts under which no supplies are deliverable, only the condition in subparagraph (a)(3) of this subsection applies):

(1) The total value of the contract (including options as defined in FAR Subpart 17.2) is \$1,000,000 or more.

(2) The period of performance under the contract overlaps the succeeding fiscal year.

(3) The funds are not available to fund the total contract value fully at award.

(b) Fixed-price contracts, other than those for research and development, shall not be incrementally funded.

(c)(1) Fixed-price contracts for research and development may be incrementally funded if the conditions in 1832.702-70(a)(1)-(3) are met and the initial funding of the contract is not less than 50 percent of the total fixed price.

(2) Incrementally funded fixed-price contracts shall be fully funded as soon as adequate funding becomes available.

(d) The procurement officer, with the concurrence of the installation Comptroller, may waive any of the conditions set forth in paragraphs 1832.702-70(a)-(c). The procurement officer shall maintain a record of all such approvals during the fiscal year.

~~(e) A class deviation from the conditions set forth in paragraphs 1832.702-70(a), (b), and (c) exists to permit incremental funding of contracts under Phase II of the Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) programs. This deviation exists with the understanding that the contracts will be fully funded when funds become available.~~

(e) A class deviation from the conditions set forth in paragraphs 1832.702-70(a), (b), and (c) exists to permit incremental funding of contracts under Phase II of the Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) programs. This deviation exists with the understanding that the contracts will be fully funded when funds become available.

#### **1832.704 Limitation of cost or funds.**

##### **1832.704-70 Incrementally funded fixed-price contracts.**

(a) Upon receipt of the contractor's notice under paragraph (c)(1) of the clause at 1852.232-77, Limitation of Funds (Fixed-Price Contract), the contracting officer shall promptly provide written notice to the contractor that the Government is --

- (1) Allotting additional funds in a specified amount for continued performance;
- (2) Terminating the contract; or
- (3) Considering whether to allot additional funds; and

(i) The contractor is entitled to stop work in accordance with paragraph (b) of the clause at 1852.232-77, Limitation of Funds; and

(ii) Any costs expended beyond the amount specified in paragraph (a) of the clause at 1852.232-77, Limitation of Funds, are incurred at the contractor's risk.

(b) Upon determining that the contract will receive no further funds, the contracting officer shall promptly give notice of the Government's decision and terminate for the convenience of the Government.

#### **1832.705 Contract clauses.**

##### **1832.705-2 Clauses for limitation of cost or funds.**

##### **1832.705-270 NASA clauses for limitation of cost or funds.**

(a) The contracting officer shall insert the clause at 1852.232-77, Limitation of Funds (Fixed-Price Contract), in solicitations and contracts for fixed-price incrementally funded research and development.

(b) The contracting officer shall insert a clause substantially as stated at 1852.232-81, Contract Funding, in Section B of solicitations and contracts containing the clause at FAR 52.232-22, Limitation of Funds. Insert the amounts of funds available for payment, the items covered, and the

**PART 1852**  
**SOLICITATION PROVISIONS AND CONTRACT CLAUSES**

**TABLE OF CONTENTS**

1852.000	Scope of part.
<b>SUBPART</b>	<b>1852.1</b>
	<b>INSTRUCTIONS FOR USING PROVISIONS AND CLAUSES</b>
1852.101	Using Part 52.
1852.103	Identification of provisions and clauses.
1852.103-70	Identification of modified provisions and clauses.
1852.104	Procedures for modifying and completing provisions and clauses.
<b>SUBPART</b>	<b>1852.2</b>
	<b>TEXTS OF PROVISIONS AND CLAUSES</b>
1852.203-70	Display of Inspector General Hotline Posters.
1852.204-74	Central Contractor Registration.
1852.204-75	Security Classification Requirements.
1852.204-76	Security Requirements for Unclassified Information Technology Resources.
1852.208-81	Restrictions on Printing and Duplicating.
1852.209-70	Product Removal from Qualified Products List.
1852.209-71	Limitation of Future Contracting.
1852.209-72	Composition of the Contractor.
1852.211-70	Packaging, Handling, and Transportation.
1852.214-70	Caution to Offerors Furnishing Descriptive Literature.
1852.214-71	Grouping for Aggregate Award.
1852.214-72	Full Quantities.
1852.215-77	Preproposal/Pre-bid Conference.
1852.215-78	Make or Buy Program Requirements.
1852.215-79	Price Adjustment for "Make-or-Buy" Changes.
1852.215-81	Proposal Page Limitations.
1852.215-84	Ombudsman.
1852.216-73	Estimated Cost and Cost Sharing.
1852.216-74	Estimated Cost and Fixed Fee.
1852.216-75	Payment of Fixed Fee.
1852.216-76	Award Fee for Service Contracts.
1852.216-77	Award Fee for End Item Contracts.
1852.216-78	Firm Fixed Price.
1852.216-80	Task Ordering Procedure.
1852.216-81	Estimated Cost.
1852.216-83	Fixed Price Incentive.
1852.216-84	Estimated Cost and Incentive Fee.
1852.216-85	Estimated Cost and Award Fee.
1852.216-87	Submission of Vouchers for Payment.
1852.216-88	Performance Incentive.



1852.216-89	Assignment and Release Forms.
1852.217-70	Property Administration and Reporting.
1852.217-71	Phased Procurement Using Down-Selection Procedures.
1852.217-72	Phased Procurement Using Progressive Competition Down-Selection Procedures.
1852.219-73	Small Business Subcontracting Plan.
1852.219-74	Use of Rural Area Small Businesses.
1852.219-75	Small Business Subcontracting Reporting.
1852.219-76	NASA 8 Percent Goal.
1852.219-77	NASA Mentor-Protégé Program.
1852.219-79	Mentor Requirements and Evaluation.
1852.223-70	Safety and Health.
1852.223-71	Frequency Authorization.
1852.223-72	Safety and Health (Short Form).
1852.223-73	Safety and Health Plan.
1852.223-74	Drug- and Alcohol-Free Workforce.
1852.223-75	Major Breach of Safety or Security.
1852.225-8	Duty-Free Entry of Space Articles.
1852.225-70	Export Licenses.
1852.227-11	Patent Rights--Retention by the Contractor (Short Form).
1852.227-14	Rights in Data--General.
1852.227-17	Rights in Data--Special Works.
1852.227-19	Commercial Computer Software--Restricted Rights.
1852.227-70	New Technology.
1852.227-71	Requests for Waiver of Rights to Inventions.
1852.227-72	Designation of New Technology Representative and Patent Representative.
1852.227-84	Patent Rights Clauses.
1852.227-85	Invention Reporting and Rights--Foreign.
1852.227-86	Commercial Computer Software--Licensing.
1852.227-87	Transfer of Technical Data Under Space Station International Agreements.
1852.228-70	Aircraft Ground and Flight Risk.
1852.228-71	Aircraft Flight Risks.
1852.228-72	Cross-Waiver of Liability for Space Shuttle Services.
1852.228-73	Bid Bond.
1852.228-75	Minimum Insurance Coverage.
1852.228-76	Cross-Waiver of Liability for Space Station Activities.
1852.228-78	Cross-Waiver of Liability for NASA Expendable Launch Vehicle Launches.
1852.228-80	Insurance — Immunity From Tort Liability.
1852.228-81	Insurance — Partial Immunity From Tort Liability.
1852.228-82	Insurance — Total Immunity From Tort Liability.
1852.231-70	Precontract Costs.
1852.231-71	Determination of Compensation Reasonableness.
1852.232-70	NASA Modification of FAR 52.232-12.

(A) **1.2 BID ENVELOPES (GSFC 52.214-90) (AUGUST 1987)** This example is applicable when identifying the title of provisions and clauses in solicitations and contracts using the uniform contract format (UCF). The first number ("1.2") designates the UCF section and the sequential clause within that section. "GSFC 52.214-90" specifies the clause number.

(B) **GSFC 52.214-90--Bid Envelopes (AUGUST 1987)** This example is applicable in all instances in which the provision or clause citation is not associated with the UCF number.

(c) Contracting officers shall not number provisions and clauses developed for individual acquisitions only. For example, "F.3 Delivery Procedures for Special Hardware" cites the third clause in Section F of a contract using the UCF, but has no clause number or date identified with it, indicating that the clause was developed for the particular contract it appears in.

### **1852.103-70 Identification of modified provisions and clauses.**

When a FAR clause or provision is included in a solicitation or contract and the NFS prescribes a modification, the title line shall identify the modification as shown below. This format shall be used both for incorporation by reference and when using full text.

"52.232-28 Electronic Funds Transfer Payment Methods (APR 1989)--as modified by NASA FAR Supplement 1832.908(a)"

### **1852.104 Procedures for modifying and completing provisions and clauses.**

NFS provisions and clauses shall not be modified unless authorized by the NFS. When authorized, contracting officers must comply with the procedures in FAR 52.104.

## **Subpart 1852.2--Text of Provisions and Clauses**

### **~~1852.203-70 Display of Inspector General Hotline Posters.~~**

~~As prescribed in 1803.7001, insert the following clause:~~

#### **~~DISPLAY OF INSPECTOR GENERAL HOTLINE POSTERS~~**

**~~(JUNE 2001)~~**

~~(a) The Contractor shall display prominently in common work areas within business segments performing work under this contract, Inspector General Hotline Posters available under paragraph (b) of this clause.~~

~~(b) Inspector General Hotline Posters may be obtained from NASA Office of Inspector General, Code W, Washington, DC, 20546-0001, (202) 358-1220.~~

**~~(End of clause)~~**

### **1852.203-70 Display of Inspector General Hotline Posters.**

As prescribed in 1803.7001, insert the following clause:

#### **DISPLAY OF INSPECTOR GENERAL HOTLINE POSTERS**

**(JUNE 2001)**

(a) The Contractor shall display prominently in common work areas within business segments performing work under this contract, Inspector General Hotline Posters available under paragraph (b) of this clause.

(b) Inspector General Hotline Posters may be obtained from NASA Office of Inspector General, Code W, Washington, DC, 20546-0001, (202) 358-1220.

**(End of clause)**

### **1852.204-74 Central Contractor Registration.**

As prescribed in 1804.7404, insert the following clause:

**CENTRAL CONTRACTOR REGISTRATION  
(AUGUST 2000)**

(a) *Definitions.* As used in this clause--

(1) **“Central Contractor Registration (CCR) database”** means the primary DoD repository for contractor information required for the conduct of business with NASA.

(2) **“Data Universal Number System (DUNS) number”** means the 9-digit number assigned by Dun and Bradstreet Information Services to identify unique business entities.

(3) **“Data Universal Numbering System +4 (DUNS+4) number”** means the DUNS number assigned by Dun and Bradstreet plus a 4-digit suffix that may be assigned by a parent (controlling) business concern. This 4-digit suffix may be assigned at the discretion of the parent business concern for such purposes as identifying sub-units or affiliates of the parent business concern.

(4) **“Commercial Government and Entity Code (CAGE Code)”** means –

(i) A code assigned by the Defense Logistics Information Service (DLIS) to identify a commercial or Government entity; or

(ii) A code assigned by a member of the North Atlantic Treaty Organization (NATO) that is recorded and maintained by DLIS in the CAGE master file.

(5) **“Registered in the CCR database”** means that all mandatory information, including the DUNS number or the DUNS+4 number, if applicable, and the corresponding CAGE code, is in the CCR database; the DUNS number and the CAGE code have been validated; and all edits have been successfully completed.

(b)(1) By submission of an offer, the offeror acknowledges the requirement that a prospective awardee must be registered in the CCR database prior to award, during performance, and through final payment of any contract resulting from this solicitation, except for awards to foreign vendors performing work outside of the United States.

(2) The Contracting Officer will verify that the offeror is registered in the CCR database.

(3) Lack of registration in the CCR database will make an offeror ineligible for award after March 31, 2001.

(4) DoD has established a goal of registering an applicant in the CCR database within 48 hours after receipt of a complete and accurate application via the Internet. However, registration of an applicant submitting an application through a method other than the Internet may take up to 30 days. Therefore, offerors that are not registered should consider applying for registration immediately upon receipt of this solicitation.

(c) The Contractor is responsible for the accuracy and completeness of the data within the CCR, and for any liability resulting from the Government’s reliance on inaccurate or incomplete data. To remain registered in the CCR database after the initial registration, the Contractor is required to confirm on an annual basis that its information in the CCR database is accurate and complete.

(d) Offerors and contractors may obtain information on registration and annual confirmation requirements via the Internet at <http://www.ccr2000.com> or by calling 888-CCR-2423 (888-227-2423).

**(End of clause)**

### **1852.204-75 Security Classification Requirements.**

As prescribed in 1804.404-70, insert the following clause:

#### **SECURITY CLASSIFICATION REQUIREMENTS (SEPTEMBER 1989)**

Performance under this contract will involve access to and/or generation of classified information, work in a security area, or both, up to the level of \_\_\_\_\_ [insert the applicable security clearance level]. See Federal Acquisition Regulation clause 52.204-2 in this contract and DD Form 254, Contract Security Classification Specification, Attachment \_\_\_\_ [Insert the attachment number of the DD Form 254].

**(End of clause)**

**1852.204-76 Security Requirements for Unclassified Information Technology Resources.**

As prescribed in 1804.470-4, insert the following clause:

**SECURITY REQUIREMENTS FOR UNCLASSIFIED  
INFORMATION TECHNOLOGY RESOURCES  
(JULY 2000)**

(a) The Contractor shall comply with the security requirements outlined in NASA Policy Directive (NPD) 2810.1, Security of Information Technology, and NASA Procedures and Guidelines (NPG) 2810.1, Security of Information Technology. These policies apply to all IT systems and networks under NASA's purview operated by or on behalf of the Federal Government, regardless of location.

(Clause continued on page 52:7.)

